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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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JAMES A. MCNEELY,

Plaintiff,

*versus*

MITCH WOODS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:19-CV-43

**MEMORANDUM ORDER ADOPTING THE  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff, James A. McNeely, a former pre-trial detainee at the Jefferson County Correctional Facility, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § against several defendants including defendant John Doe #1.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting plaintiff's Motion to Voluntarily Dismiss his claims against defendant John Doe #1 pursuant to Federal Rule of Civil Procedure 41(a).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.<sup>1</sup>

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<sup>1</sup>

Plaintiff received a copy of the Report and Recommendation on April 1, 2020 (docket entry no. 63).

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A Partial Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED at Beaumont, Texas, this 12th day of May, 2020.

A handwritten signature in cursive script, reading "Marcia A. Crone".

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE